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5 Attorneys for Plaintiffs

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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12 **BOARD OF TRUSTEES OF THE**
13 **AUTOMOTIVE INDUSTRIES, et al.**

14 **Plaintiffs,**

15 **vs.**

16 **OMEGA TANK AND TRUCK REPAIR, INC., a**
California corporation

17
18 **Defendants.**
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NO. C 08 1292 VRW

**DECLARATION OF MICHAEL
J. CARROLL IN SUPPORT OF
MOTION FOR ENTRY OF
DEFAULT**

20 I, MICHAEL J. CARROLL, declare:

21 1. I am duly admitted to practice law before all of the courts of the State of California
22 and in the United States District Court, Northern District of California. I am one of the attorneys for
23 plaintiff in this action. I have personal knowledge of the facts stated herein and if called as a witness,
24 I could competently testify as follows:

25 2. The complaint and summons in this action were served on defendant, OMEGA TANK
26 AND TRUCK REPAIR, INC., a California corporation, on May 29, 2008 as appears from the proofs
27 of service of said summons e-filed with the Court.

28 3. The time within which the defendants may answer or otherwise move as to the

1 complaint has expired, that defendants have not answered or otherwise moved and that the time for
2 defendants to answer or otherwise move has not been extended.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed on September 3, 2008 at San Francisco, California.

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6 /s/ Michael J. Carroll
7 MICHAEL J. CARROLL
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PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On June 13, 2007 I served the within **MOTION FOR ENTRY OF DEFAULT, DECLARATION OF MICHAEL J. CARROLL IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT and PROPOSED NOTICE OF ENTRY OF DEFAULT** on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

Omega Tank and Truck Repair
2286 Del Monte Street
W. Sacramento, CA 95691

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2008 at San Francisco, California.

/s/ Sharon Eastman